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General Assembly

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Fifty-seventh session
Agenda item 55
Armed aggression against the Democratic Republic of the Congo

Letter dated 11 August 2003 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the General Assembly

On instructions from my Government, I have the honour to request you to keep the item entitled "Armed aggression against the Democratic Republic of the Congo" on the agenda of the fifty-seventh regular session of the General Assembly.

My Government would like this item to be considered in plenary meeting without reference to a Main Committee.

Lastly, my Government reiterates its desire that this question should remain on the agenda of all future regular sessions of the General Assembly until it is definitively settled.

I should be grateful if you would have this letter circulated as a document of the General Assembly.

(*Signed*) Atoki **Ileka**
Ambassador
Permanent Representative

03-48806 (E) 050903 050903

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Fifty-seventh session
Agenda item 53
Revitalization of the work of the General Assembly

Revitalization of the work of the General Assembly

Note by the President of the General Assembly

1. In September 2000, at the Millennium Summit of the General Assembly, world leaders reaffirmed the indispensable role of the United Nations in the new century and decided to reform it in order to enable it to respond effectively and flexibly to topical international events. The General Assembly, with its central role, has to address that issue. The relevance of the United Nations will be judged according to that approach, according to the fulfilment of the spirit of the United Nations Millennium Declaration. Therefore, the General Assembly must be strengthened, be more effective and action-oriented.

2. On 13 March 2003, as a result of the open-ended informal consultations of the plenary on the revitalization of the General Assembly conducted during my Presidency, the General Assembly adopted resolution 57/301, an important resolution by which it amended rule 1 of the rules of procedure of the General Assembly to read: "The General Assembly shall meet every year in regular session commencing on the Tuesday of the third week in September, counting from the first week that contains at least one working day". By the same resolution, the General Assembly decided that the general debate in the General Assembly would open on the Tuesday following the opening of the regular session of the General Assembly and would be held without interruption over a period of nine working days.

3. The provisions of resolution 57/301 will be implemented as from the fifty-eighth regular session of the General Assembly; accordingly, the fifty-eighth regular session will open on Tuesday, 16 September 2003, while the general debate will open on Tuesday, 23 September 2003, and end on Friday, 3 October 2003. The resolution also regularizes the dates of the opening of regular sessions and of the general debate for future sessions.

4. In accordance with rule 31 of the rules of procedure as amended by General Assembly resolution 56/509, the General Assembly elected the President of the General Assembly for the fifty-eighth session on 6 June 2003 and on the same day also elected 21 Vice-Presidents and Chairpersons of the main committees. That early election enables the smooth transition between successive Presidencies and thus

encourages the President and other officers to play their role in a much more efficient manner.

5. Also during the fifty-seventh session, in accordance with resolution 57/8, as an innovative step, an open-ended panel of the General Assembly was convened for the first time. The open-ended panel focused on the theme "Afghanistan: one year later", which facilitated an in-depth discussion on the subject when it was considered subsequently in the plenary. A second open-ended panel was successfully organized on 4 September 2003, and focused on the theme "the role of civil society in the prevention of armed conflict".

6. Also for the first time, a draft programme of work of the plenary of the General Assembly for the entire main part of an upcoming session, that is, the fifty-seventh session, was provided to the Member States several weeks before the beginning of the session. In that programme, several items of the agenda were clustered, allowing for joint debates on interlinked issues, which resulted in cost savings. There was wide agreement on the desirability of additional clustering of items as well as the need to further consolidate the Secretary-General's reports on similar topics. As a result of the positive response to that initiative, a draft programme of work for the fifty-eighth session has already been circulated which proposes, based on the experience of the fifty-seventh session, additional clustering of agenda items and more joint debates.

7. The annex to the present note summarizes the principal elements discussed at the open-ended informal consultations of the plenary devoted to agenda item 53, "Revitalization of the work of the General Assembly", during the period from November 2002 to June 2003. It also contains some elements taken from the note of my predecessor (A/56/1005). It deals with a broad range of issues, including some of those that had been considered in the course of the plenary deliberations under agenda item 52, "Strengthening of the United Nations system", and agenda item 92, "Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields".

8. For further informal consultations on this subject, the report of a seminar on reform of the General Assembly, organized by the Permanent Mission of the Netherlands and the International Peace Academy on 16 and 17 May 2003, in Manhasset, New York, entitled "From promise to practice: revitalizing the General Assembly for the new millennium" (see A/57/836), was introduced and recommended for further discussion.

9. While taking into account the progress on the revitalization that has been achieved so far, some permanent representatives suggested that a slightly more proactive approach should be applied. In that regard, the idea of setting a concrete deadline (timetable/action plan/time frame) for deliberations on the revitalization was recommended.

10. I hope that this evolving document, which is an integral part of the continuous revitalization process, will be enriched by new ideas and proposals in parallel with the implementation of the agreed reform measures.

Annex

Revitalization of the work of the General Assembly

I. Context

1. During numerous deliberations, Member States expressed their support for the ongoing reform of the United Nations, including revitalization of the work of the General Assembly. More specifically, they called for further streamlining of the agenda, updating of the work programme and continuous biennialization and clustering of items. One proposal was to establish a "blue ribbon group" or panel of eminent persons (persons familiar with the United Nations agenda or active/energetic ex-diplomats), which might elaborate further suggestions on how to revitalize the work of the General Assembly.

2. Member States also stressed the issue of reporting with a view to having reports written more transparently and in a more focused and consolidated way, as well as issued on time.

3. The idea of restructuring the agenda and working methods of the main committees with a view to reducing the number of meetings during the main part of the General Assembly was particularly supported by small delegations. It was the general sentiment that the bureaux of the main committees could play an effective role in that regard.

4. The work of the plenary and the main committees should be better organized so as to permit the Assembly to concentrate entirely on its core tasks, which are:

(a) To discuss and take action in accordance with the Charter of the United Nations on international political, economic, social and legal questions and to consider the reports of the Secretary-General, the Security Council and the Economic and Social Council;

(b) To negotiate and approve international conventions;

(c) To discuss and adopt the budget.

5. Linkages between the agenda of the Committees must be further explored, as well as other ideas for rationalization of the agenda and related documentation.

II. Suggested reform measures

6. The suggestions set out below constitute part of a continuous process aimed at the revitalization of the General Assembly.

A. President and Vice-Presidents

7. The President of the General Assembly should meet more frequently with, in particular, the Chairpersons of the main committees, representatives of major groups and/or chairpersons of regional groups (on questions involving procedure) and representatives of the Secretariat so that meetings and the work of the main committees can be better planned. Meetings with the Chairpersons of the main

committees should also serve as an informal exchange on issues of common concern.

8. The President of the General Assembly should also continue to meet regularly with the Presidents of the Security Council and the Economic and Social Council and with the Secretary-General to discuss and/or share ideas on questions regarding the continuous reform and revitalization process.

9. The President should endeavour to be in New York on a more or less permanent basis during the session. The President of the current session should establish informal relations with the President-elect to ensure a smooth transition to the next session. To facilitate the handing over of responsibilities, the President, the Vice-Presidents and the Chairpersons of the main committees of the current session of the General Assembly should meet with the President, Vice-Presidents-elect and Chairpersons-elect of the main committees to discuss organizational matters before the opening of the next session.

10. The Secretariat should prepare the necessary documentation and all relevant information for the incoming President so that he/she will be fully prepared to assume his/her new functions. Adequate professional support should be provided to the Office of the President in the form of, for example, assignment of one or two United Nations professionals from existing staff directly to the Office of the President.

11. The President could give clearly identified responsibilities to Vice-Presidents.

12. Informally, the issue of size, composition and equal geographical representation of Vice-Presidents has been raised, in particular concerning the fact that the election of the President of the General Assembly has the effect of reducing by one the number of vice-presidencies allocated to the region from which the President is elected.

B. General Committee

13. The President should convene meetings and informal consultations of the General Committee in order to propose modifications to the agenda.

14. Member States represented on the General Committee should continue the practice of designating focal points to enhance the efficiency of the General Committee.

15. The outgoing General Committee members should be in close contact with the elected members of the incoming General Committee so as to work informally on the agenda of the next session.

16. The General Committee could serve as an advisory body to the President, particularly on procedural matters. During the fifty-seventh session, the President called a meeting of the General Committee on an extraordinary basis for procedural advice, and it proved effective.

17. The General Committee should, at the beginning of each session, consider the provisional agenda, with special emphasis on the identification of cross-cutting issues, and should make relevant recommendations to the General Assembly to further streamline the agenda.

C. Main committees

18. The Chairpersons of the main committees should bring to the President's attention proposals regarding the streamlining of their agendas and programmes of work (clustering of agenda items and joint debates, deletion of some obsolete agenda items, biennialization and/or triennialization).

19. The respective bureaux of the main committees should take measures to further enhance the effectiveness of their committees' work and continue to improve their working methods. Recommendations in this area must be consistent with the ongoing processes of the United Nations reform and revitalization of the overall work of the General Assembly.

20. The committees should endeavour to limit the proliferation of their reports and resolutions. They should work towards shortening some resolutions. Requested reports should be consolidated according to the items and not be a product of each adopted resolution (the Committees should decide at the end of the main part of each session which reports on related subjects will be consolidated; see para. 20 of General Assembly resolution 57/300).

21. Some committees have a short general debate at the start of their work, which takes the form of formal statements from a predetermined speaker's list. There is a strong sentiment that that general debate should be re-engineered. One option is to make it an interactive thematic dialogue, including keynote speakers, taking into account the work programme of the Committee.

22. In that regard, the organization of open-ended panels for discussion of some important agenda items is proposed; such panels should enhance the formal discussion and bring together experts from various fields.

23. Deadlines must be set for the work of the Committees, be announced well in advance and be strictly enforced. To facilitate the work of the Committees, the following dates should be clear: the date of submission of reports and the dates for submission of draft resolutions entailing budget implications. That could be a useful tool for enhancing the discipline of the committees and facilitating the work of the General Assembly as a whole.

24. The proposal to reallocate the items on the agenda of the Special Political and Decolonization Committee (Fourth Committee) to the plenary of the General Assembly and the main committees with a view to reducing the number of the main committees requires further careful review and study. The questions to be addressed, before any such radical reform is implemented, would be the appropriate reallocation of some items and the current interrelationship of the Fourth Committee with the Committee of 24. The ongoing proposal is to move the agenda items on decolonization issues, as well as the item on "Questions relating to information", to the plenary; to move the items on human rights and humanitarian issues to the Third Committee; and to combine the remaining agenda items from the Fourth Committee (including atomic radiation, peaceful uses of outer space and peacekeeping) with the agenda of the First Committee. Consequently, the suggested revised title for the First Committee would be "Committee on Arms Control and Political Issues".

25. There is strong support for the effort to improve the work of the Second and Third Committees (see, for example, General Assembly resolution 57/270 B), particularly to promote greater coherence and complementarity between them and to

eliminate potential overlaps and duplications, among others, by organizing regular meetings between the bureaux of the two committees and joint informal debates of the committees on cross-cutting issues.

D. Organization of the debates

26. In organizing the debates, the main goal must be to allow time for discussions on important issues and recent developments in international relations.

27. Efforts should be continued to reduce and group items by subject on the agenda and/or to take them up on a biennial or triennial basis.

28. On items where there has been no development from the previous session, efforts could be made to eliminate the most routine speeches (representatives could simply inform the General Assembly that their position is consistent with that of the previous session).

29. For debates on items of urgent concern to most members, speeches delivered during the session should take into consideration, as far as possible, responses and comments on proposals made by other speakers during their presentations.

30. To further promote interactive debates, when speakers (either representatives of major groups or representatives of Member States that have major interest in the issue) have delivered their statements, other Member States could comment on those statements, if they deem it appropriate, in order to make the debate more interactive. They could do so in the plenary from their seats.

31. In addition, whenever the President of the General Assembly considers it to be appropriate, following consultations with Member States, he/she could organize informal meetings or open-ended informal panels to study thoroughly matters of topical interest.

E. Guidelines on the conduct of work (see appendix)

32. The President of the General Assembly and the Chairpersons of the main committees are encouraged to use the rules of procedure in a comprehensive manner to promote the effective and constructive conduct of all aspects of the work of the General Assembly.

33. At the beginning of each session, the President of the General Assembly, as well as the Chairpersons of each of the main committees, should remind the members of these rules of procedure and encourage the members to cooperate fully in achieving the goals of the Committees.

F. Reports and role of the Secretariat

34. Reports should be concise, operational and analytical. With the exception of financial reports, the General Assembly should always set a limit to the number of pages requested for each report within the framework of the 16-page rule set, inter alia, by its resolution 53/208. Reports should conclude with recommendations for action to be taken by the General Assembly in order to facilitate the eventual

drafting of Assembly resolutions/declarations. The Assembly should avoid requesting too many reports from the Secretary-General. In some cases, the Assembly could request oral reports instead of written reports.

35. The President of the General Assembly should encourage the Secretariat to propose improvements that could facilitate the work of the General Assembly in accordance with rule 47 of the rules of procedure of the General Assembly.

G. Modern technologies

36. The General Assembly should be encouraged to make increased use of modern technology, especially for the counting of votes during elections or the drawing of lots.

37. Contributions from delegations on national experience in modernizing the counting of votes, particularly in parliaments, would be welcome.

38. In the meantime, Member States and the Secretariat should increase the number of assessors.

Appendix

"Rule 35

"In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the session, direct the discussions in plenary meeting, ensure observance of these rules, accor l the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to these rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat. The President may, in the course of the discussion of an item, propose to the General Assembly the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion."

"Rule 68

"No representative may address the General Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion."

"Rule 72

"The General Assembly may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a representative exceeds his allotted time, the President shall call him to order without delay."

"Rule 73

"During the course of a debate, the President may announce the list of speakers and, with the consent of the General Assembly, declare the list closed. He may, however, accord the right of reply to any member if a speech delivered after he has declared the list closed makes this desirable."

"Rule 109

"No representative may address the committee without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion."

"Rule 113

"During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the Chairman in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote, and the Chairman's ruling shall stand unless overruled by a majority of the

members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion."

"Rule 114

"The committee may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a representative exceeds his allotted time, the Chairman shall call him to order without delay."

* * *

After recalling the rules of procedure above, the President of the General Assembly and each of the Chairpersons of the main committees should also remind delegations, at the beginning of each session, of the following guidelines to facilitate courteous and respectful debate:

- The need for a stricter adherence to punctuality and for limiting the duration of speeches in all General Assembly meetings, including informal meetings.
- The intention of the Chairperson of a main committee to invite a permanent representative, in the event of protracted delay in action on proposals by a member of the delegation concerned, to personally present his/her point of view.
- The Fifth and the Sixth Committees have established their own procedures for reaching decisions. Adoption of resolutions by consensus should be encouraged by the Chairpersons of the four other main committees. However, consensus does not mean unanimity. In the event of disagreement, a decision needs to be sought by means of a vote in accordance with the rules of procedure.

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Security Council

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General Assembly
Fifty-seventh session
Agenda items 36 and 160

Security Council
Fifty-eighth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 10 September 2003 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing following the two brutal Palestinian terrorist attacks perpetrated yesterday against the citizens of Israel.

Last night, 9 September 2003, at approximately 11.20 p.m. (local time), a suicide bomber perpetrated an attack at a popular café on Emek Refaim Street, the main thoroughfare of the German Colony neighbourhood in Jerusalem. The powerful explosion ripped through buildings in the area, killing at least seven civilians and wounding 40 others. The terrorist organization Hamas, which operates freely from Palestinian Authority territory, claimed responsibility for the attack and threatened further acts of murder against Israeli civilians.

Also yesterday evening, 9 September 2003, at approximately 6.00 p.m. (local time), a suicide bomber perpetrated an attack at a crowded bus depot near Rishon Letzion in Central Israel. At least seven citizens were killed and 30 were wounded, most of them seriously, when the bomber detonated an explosive device, setting off a powerful explosion in an area adjacent to the Assaf Harofeh Hospital. The bomb was packed with nails and shrapnel in order to maximize the pain and suffering of its victims. Hamas also claimed responsibility for this attack.

Today's attacks comes just over a week after Palestinian terrorists ambushed a car near Kochav Hashachar on 29 August 2003, killing a man and seriously injuring his pregnant wife. The family's car was on the Alon highway when gunmen opened fire at the vehicle, causing it to overturn. Murdered in the attack was Shalom Harmelech, 25, of Homesh. The Fatah Al Aqsa Martyrs Brigades loyal to Yasser Arafat's Fatah organization claimed responsibility for the attack.

Earlier in the month, on 19 August 2003, a suicide bomber perpetrated a brutal massacre on a crowded bus in downtown Jerusalem. Twenty-two people were killed and 135 wounded, many of whom were children, when the terrorist detonated a five-kilogram device packed with ball bearings. The bus was filled with orthodox Jewish

families who were returning from prayers at the Western Wall, and the terrorist himself dressed as an orthodox Jew in order to enter the bus undetected. Hamas claimed responsibility for the bombing. The bus attack was further preceded, on 12 August 2003, with a pair of near-simultaneous suicide attacks that killed two Israelis and wounded at least a dozen others.

The majority of these attacks occurred during a period when Palestinian terrorist groups had declared a so-called ceasefire (*hudna*), which in practice served as an opportunity for these groups to rearm, plan and perpetrate further attacks, while the official Palestinian leadership did nothing to prevent them despite its clear legal and moral obligations. Israel's steps to fulfill its commitments, including the withdrawal of forces, the dismantling of unauthorized outposts, the easing of travel restrictions and attempts to improve humanitarian and economic conditions, have been met with total inaction by the Palestinian side and pathetic justifications of the continuing terrorist attacks — attacks which have compelled Israel to continue defensive counter-terrorist operations.

As this most recent and brutal wave of terrorism indicates, the brazen refusal of the Palestinian Authority to take the strategic decision to dismantle terrorist organizations, which it has defiantly declared to be "not an option at all", continues to ravage the lives of innocent civilians and endanger our effort to build a new reality for the people of the region. It proves, once again, that there can be no tolerance or negotiation with vicious terrorist organizations whose declared aim is the destruction of Israel, and who prove this hateful objective by attempting to indiscriminately murder as many innocent civilians as possible.

At this critical juncture in the peace process, the new Palestinian leadership once again faces the strategic choice between continuing the path of terrorism and murder, which is sure to lead to more violence and bloodshed, and embarking upon the road to peace. Israel is reminded by every innocent drop of blood shed in this barbaric campaign of terrorism that no peace agreement can survive while terrorist organizations maintain their capacity to kill and maim. Either the Palestinian Authority will finally meet its duties to fight terrorism and be a partner in peace, or it will continue to ally itself with the network of global terrorists and their state sponsors, who have brought only despair and devastation to the globe.

Thus far, the Palestinian leadership, including its permanent observer in the United Nations, glorifies terrorists as martyrs and seeks condemnation of the defensive response to terrorism rather than the terrorism itself. Instead of engaging in shameful moral equivalence between the deliberate murder of innocent civilians and the defensive measures taken to protect them, the Palestinian leadership must take its share of responsibility for the blood shed in the region and for rejecting, time and again, the opportunity for peace and mutual compromise.

Israel expects the new Palestinian leadership to put an absolute end to terrorism by working to fulfill their obligations, in accordance with Security Council resolutions, international law and signed agreements. The fulfillment of these obligations requires at least five concrete Palestinian actions: (1) completely dismantling terrorist networks, (2) preventing terrorist attacks, (3) confiscating and destroying illegal weapons, (4) bringing terrorists to genuine justice, and (5) ending incitement in the media, in mosques and in schools.

In the light of the continuing rejection by the Palestinian leadership of its obligations to dismantle terrorist organizations, Israel is compelled to take the necessary measures to defend its citizens, in accordance with its right and duty of self-defense. In so doing, Israel will make every effort to minimize harm to innocent civilians despite the criminal and immoral tactics of Palestinian terrorists, who not only deliberately target the innocent but also gravely endanger Palestinian civilians by hiding among them in grave violation of the most fundamental principles of international humanitarian law. The responsibility for civilian casualties lies first and foremost with those terrorist organizations that callously use Palestinian civilians as human shields in pursuing a morally bankrupt and criminal campaign. In addition, this responsibility rests with the Palestinian leadership that allows the terrorists to operate with impunity and whose pro-terrorism position is what has forced Israel to take defensive measures.

Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics, to accept nothing less than the complete dismantling of terrorist organizations, and to use its authority to compel all regimes that sponsor terrorism in the region to fulfill their responsibilities in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001). The Palestinian leadership must understand that the international community will not tolerate its continuing failure to meet its counter-terrorism obligations, and will never countenance the establishment of a Palestinian state built on the basis of terrorism and the rejection of the rights of others to live in peace and security in the region.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism that began in September 2000, which document the criminal terrorist activity for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-seventh session of the General Assembly, under agenda items 160 and 36. I am submitting an identical letter to the President of the Security Council for circulation as a Security Council document.

(*Signed*) Dan **Gillerman**
Permanent Representative

United Nations A/57/863–S/2003/878

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Security Council

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General Assembly
Fifty-seventh session
Agenda items 35, 36 and 77

Question of Palestine

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Security Council
Fifty-eighth year

Letter dated 11 September 2003 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

The threats of Israel, the occupying Power, against the Palestinian people and the Palestinian leadership went a step further today when the so-called Israeli security cabinet decided to "remove Yasser Arafat" and asked the Israeli army to draw up a plan for the expulsion of the elected President of the Palestinian Authority. In fact, Israeli occupying forces today seized positions in the Palestinian Ministry of Culture directly adjacent to the compound of President Yasser Arafat in Ramallah.

At this critical juncture it must be firmly an unequivocally stated that the Palestinian land and people are not the property of the occupying Power, and carrying out such an action or even the constant repetition of this threat will be considered an assault on Palestinian national dignity and will signal the virtual demise of any peace process between the two sides. In addition, it is to be recalled that international law, specifically the Fourth Geneva Convention, is clear in its prohibition of such a war crime.

We believe that the international community must take decisive and quick action in this regard in order to prevent such an illegal and insane act from being carried out by the occupying Power. We call in particular on the Security Council to take the immediate necessary measures in this regard. Further, we believe that the international community must adopt the necessary position in condemnation of all the other war crimes being committed by the occupying Power against the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem.

03-49851 (E) 120903

The international community cannot continue to stand idly by while this dangerous situation continues its frightening and dangerous decline.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 35, 36 and 77, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations A/57/864

General Assembly

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Fifty-seventh session
Agenda item 10
Report of the Secretary-General on the work of the Organization

Note by the President of the General Assembly

Following the adoption of General Assembly resolution 57/337 of 3 July 2003 on prevention of armed conflict, I organized an open meeting to facilitate an interactive dialogue on the role of civil society in the prevention of armed conflict. The meeting was held on 4 September 2003.

I have the honour to transmit a report on that meeting for the information of Member States (see annex).

03-49964 (E) 120903

Annex

Report of the President of the fifty-seventh session of the General Assembly, Mr. Jan Kavan, on the results of the open meeting on the role of civil society in the prevention of armed conflict

4 September 2003, Trusteeship Council Chamber

I. Introduction

1. In adopting resolution 57/337 of 3 July 2003 on prevention of armed conflict, the General Assembly recognized, in paragraph 39 of the annex to that resolution, the important supporting role of civil society in the prevention of armed conflict and invited civil society to continue to support efforts for the prevention of armed conflict and to pursue practices that foster a climate of peace, help prevent or mitigate crisis situations and contribute to reconciliation. The intention of the President of the fifty-seventh session of the General Assembly in organizing this open meeting was to:

(a) Capitalize and build on the momentum from the success of the General Assembly's resolution on the prevention of armed conflict, using this as an opportunity to create follow-up activities and initiatives;

(b) Explore interactively how best to link the work of civil society in conflict prevention with the work of Governments and the United Nations;

(c) Offer substantive content for the Missions to consider the core issues and respond to the concerns, questions and ideas of Member States;

(d) Update the Member States about the programme of work of the Global Partnership for the Prevention of Armed Conflict towards research, capacity-building and regional consultations leading to an international conference in 2005 devoted to the role of civil society in conflict prevention.

Participants

Chair: H. E. Mr. Jan Kavan	President of the fifty-seventh session of the General Assembly
Mr. Jan Egeland	Under-Secretary-General for Humanitarian Affairs
Mr. Danilo Türk	Assistant Secretary-General for Political Affairs
Mr. Paul van Tongeren	Executive Director, European Centre for Conflict Prevention
Dr. Andrés Serbin	Coordinador Regional de Investigaciones Económicas y Sociales in Argentina
Mrs. Raya Kadyrova	Foundations for Tolerance International in Kyrgyzstan
Mr. Emmanuel Bombande	West African Network for Peace-building in Ghana
Dr. Mary B. Anderson	President of the Collaborative for Development Action
UN-NGO Conflict Prevention Working Group	
88 Member States	

II. Presentations

Actors in prevention

2. The complex nature of contemporary violent conflict requires the effective and coordinated interaction of Governments, intergovernmental organizations and civil society organizations. Mr. Egeland noted that he knew of "no successful peace processes that have not included all three". Regarding civil society organizations specifically, Mr. Türk recalled that Article 71 of the Charter recognizes the importance of civil society to the work of the United Nations. It is therefore necessary for Member States, the United Nations, and civil society organizations to consider the challenges of the interaction of such organizations with Member States and the United Nations.

3. The Charter of the United Nations, the report of the Secretary-General on the prevention of armed conflict (A/55/985-S/2001/574), various Security Council resolutions and General Assembly resolution 57/337 affirm the importance of prevention and that the primary responsibility for prevention lies with Member States. However, alliances across governmental, intergovernmental and non-governmental sectors from the beginning of the conflict are not only important, but also essential in finding sustainable solutions to conflicts before they escalate into violence. It is clear that the United Nations system cannot do everything; it needs broad-based partnerships for success. United Nations agencies have undertaken an organizational change in recent years to embrace partnerships with civil society organizations. However, the United Nations can be more creative, outward-looking and, most importantly, more systematic, in collaborating with civil society organizations to prevent conflict and build sustainable peace.

Contributions of civil society organizations

4. Civil society organizations provide an array of capabilities and opportunities to supplement the role of Governments and the United Nations. The variety of the work of these organizations in prevention begins with being, in the words of the Secretary-General, "the conscience of humanity", and goes on to include working with Governments and the United Nations in specific ways on the ground. Reiterating the Secretary-General's remarks in the report on the prevention of armed conflict, both Mr. Egeland and Mr. Türk said that civil society organizations were indispensable in "track-II" and "people to people" diplomacy, which are often integral to successful official diplomacy and post-conflict political and reconciliation processes. At times, civil society organizations can reach parties on the ground that Governments cannot reach. Other ways in which civil society organizations can contribute to prevention that were noted by participants are the following:

(a) *Analysis*: Civil society organizations offer a unique ability to analyse local conflicts since they "live in communities and experience the dynamics of conflict first-hand". More specifically, they can call attention to disputes before they erupt into violent conflicts;

(b) *Partnership*: Civil society organizations have, in some cases, increased the capacity of government organizations and United Nations agencies by training personnel, providing early-warning capabilities and facilitating access to the local populace. Furthermore, they can increase the cost-efficiency of governmental and

United Nations programmes by evaluating projects and training the local populations to implement them;

(c) *Sustainability*: Noting that the engagement of local populations is essential to implementing peace agreements and preventing a recurrence of violence, civil society organizations offer capacity-building to local populations in post-conflict peace-building. They also increase the sustainability of United Nations peace operations by remaining in the area to continue capacity-building projects long after the United Nations mission is completed;

(d) *Networks*: By creating networks, civil society organizations can provide a streamlined interface for governments and the United Nations to civil society.

5. Despite the numerous capabilities civil society organizations offer, interacting and coordinating with civil society remains a challenge for Governments and the United Nations. It is evident that strategic linkages are needed between Governments, intergovernmental organizations and civil society. However, how to create linkages that complement each other's work rather than ones that impede or duplicate efforts is not well understood. The European Centre for Conflict Prevention, in conjunction with a network of civil society organizations around the world, has undertaken to explore these challenges.

The Global Partnership for the Prevention of Armed Conflict

6. In response to the report of the Secretary-General on the prevention of armed conflict, a diverse and inclusive worldwide movement is under way. The Global Partnership for the Prevention of Armed Conflict aims to engage civil society actors from the grass-roots to the international level towards the integration and mainstreaming of conflict prevention. Its objective is to improve international responses in preventing conflict, from the community to the global level. The goals are:

(a) To explore fully the role of civil society in conflict prevention and peace-building;

(b) To develop a coherent body of research and theory that will help the conflict prevention community play its full part in the international debate;

(c) To improve interaction between civil society groups, the United Nations, regional organizations and Governments;

(d) Strengthen regional and international networking between conflict prevention actors.

7. The preparatory phase of the project has established secretariats at the European Centre for Conflict Prevention, in Utrecht, Netherlands, in New York with the UN-NGO Conflict Prevention Working Group, and in each region for regional processes (see the section V for contact information).

8. The initiative now stands ready to move from its preparatory phase into the substantive exploration of issues at regional levels. Regional processes (timeline: 2003 and 2004) will begin at the grass-roots level and engage as many civil society actors as possible in discussions leading to regional conferences that will produce mutually agreed-upon regional plans of action. These regional plans of action, based on research, consultation and discussions that are rooted firmly in local cultural,

geographic and operational realities, will guide conflict prevention in the coming decades. The final phase of this process involves an international conference near United Nations Headquarters in New York in June 2005. Engaging professionals from all levels of conflict management and working from the regional plans of action, this international conference will be a launching point for future interaction of actors for prevention. It will formally recognize the partnerships created through the regional processes and will present to all participants the new, inclusive international agenda for conflict prevention.

9. Over the course of this process, expected outcomes are the following:

(a) Regional publications documenting lessons learned and best practices that increase the effectiveness of the coordination of the conflict prevention activities of civil society organizations, multilateral organizations and Governments;

(b) Regional and international plans of action to guide conflict prevention initiatives in the future;

(c) A global network of conflict prevention actors, including civil society, regional and multilateral organizations, and Governments;

(d) Commitments from Member States to realign existing conflict management mechanisms towards prevention;

(e) Support for Member States in their efforts to prevent conflict.

10. Integral to this process is the involvement of the United Nations and Member States at all levels. Therefore, it is recommended that the Missions in the New York area work with the UN-NGO Conflict Prevention Working Group by appointing a reference person at the Mission for the Working Group to contact. Similarly, it is recommended that United Nations agencies and programmes link with both the UN-NGO Conflict Prevention Working Group and encourage their field offices to liase with the coordinators of regional conferences.

11. Substantial funding and resource requirements are required for such a global process, specifically for the various regional processes. In the preparatory phase, numerous Governments came forth with funding. It is recommended that these Governments continue to support this process financially and that other Member States aid in this global initiative. Civil society organizations and foundations are encouraged to become involved in this process and support it as financially appropriate.

III. Discussion session

12. The 88 Member States present for the open meeting engaged in a constructive dialogue in support of the process of the Global Partnership for the Prevention of Armed Conflict. Indicative of the changing climate at the United Nations and global norms in the post-cold war era, no State expressed a view towards disregarding civil society or prevention as not integral or desirable in building peace in the current age. Rather, the Missions raised important questions and concerns towards the efficacy of civil society engagement in the promotion of a culture of prevention.

13. Aldo Mantovani, Deputy Permanent Representative of Italy to the United Nations, read out a statement on behalf of the European Union (including acceding

countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, and associated country Turkey). He cited support for the Global Partnership's process by noting that:

> "preventive action is a cross-cutting issue and it must be approached in an integrated way, involving a wide range of actors and instruments in order to achieve its greatest effectiveness ... The European Union regards the protection and promotion of human rights and fundamental freedoms, which are strongly supported by the civil society actors, as a crucial component of societal development contributing to conflict prevention."

14. While acknowledging the importance of civil society involvement in supporting Governments and the United Nations in conflict prevention, Member States, both from the developed and developing countries, raised important questions that must be considered in this global process leading to the 2005 international conference. A paramount concern for some Member States was the conceptual clarification of what "civil society" means. Noting that some civil society organizations are destructive parties in some conflicts, questions of how to distinguish and deal with such organizations need to be addressed. Similarly, the proliferation of civil society organizations in recent years has caused unforeseen problems that must be addressed. The growing number of such organizations has caused competition for scarce resources (i.e. funding) among civil society organizations and between civil society organizations and Governments. Member States expressed a need for reassurance that by interacting with networks of civil society organizations they will not be overwhelmed by a deluge of activist pressure.

15. Member States expressed a desire to know more about the positive contributions of civil society organizations to peacemaking and prevention. Citing a general lack of collection and dissemination of peace research, Member States urged civil society organizations and the United Nations to produce compendiums of civil society organizations and the United Nations, their work, and lessons learned. Mr. Türk acknowledged that the United Nations must find innovative and creative ways of learning from civil society organizations.

16. The role of civil society in prevention was underscored by Member States calling for more attention to be paid to local voices. Local voices increase the chances of success by giving indications of their true needs, appropriate methods for intervention for the situation, and appropriate timing. The challenge is to find who the legitimate local voices are and where to strike the proper ratio between local ownership and international ownership of the problem. Linked to this concern is how the international community can empower local civil society organizations when their Governments are party to or a cause of the problem.

17. Some Member States queried on how to broaden and strengthen the role of civil society organizations. Noting the absence of civil society organizations involved in inter-State conflict, a Member State encouraged civil society organizations to find ways to affect and prevent international disputes as well. However, for civil society organizations to play an active role in prevention, especially of international disputes, their access to governing structures in the United Nations must be systemic instead of ad hoc.

18. International security affairs are the mandate of the Security Council. Although it remains largely a reactive body, prevention also falls under its mandate. Since

prevention requires early engagement of the international community, the role of civil society organizations in early warning is important. However, civil society organizations do not have regular access to the United Nations. Limited avenues of interaction afforded by the Arria Formula only allow civil society organizations to brief the Security Council during the conflict. Some Member States wondered whether there could be a more coherent and systemic approach to interaction of civil society organizations with the Security Council that would allow the Security Council to hear them well before the outbreak of violence.

19. Similar constraints for civil society organizations lie in their interaction with the United Nations system in the field. At times, whereas United Nations Headquarters may have opened its doors to interaction with a particular civil society organization, that organization often finds no cooperation from field offices. Interactions with civil society organizations in the field are often due to a country coordinator who personally knows the members of the organization or one who worked with civil society organizations before and has become comfortable in engaging with them. In short, personality-based interaction must be replaced with a more systematic interaction that allows the United Nations system to take advantage of civil society organizations in the field.

20. A Member State expressed grave concern that, although resolution 57/337 is a landmark document, prevention will not be regularly addressed since it does not have a place within one of the committees of the General Assembly. In fact, though the Security Council is mandated to address issues of peace and security, Article 14 also gives the General Assembly the responsibility to address security issues, especially in the prevention of conflict. Article 14 explicitly states that the involvement of the General Assembly in peace and security issues is subject to Article 12, thereby not allowing the Assembly to be seized of issues that are within the purview of the Security Council. However, since the Security Council often only has the ability to deal with disputes that have already descended into violence, the General Assembly can exercise its provision to address the prevention of disputes that are "likely to impair the general welfare or friendly relations among nations ..." (Article 14) before they erupt into violence. It is recommended that the General Assembly exercise its responsibility under the Charter to examine the prevention of violent conflicts between States and nations. One Member State wondered if prevention could be regularly discussed in the Fourth Committee. In addition, with all parts of the United Nations system (Member States, the Security Council and the Secretariat and agencies) affirming prevention as a paramount concern for the global community, it should be examined whether an aide-memoire for prevention is appropriate.

21. The breadth of questions and concerns expressed by Member States give the Global Partnership for the Prevention of Armed Conflict project many issues to consider. However, some of these questions can also be considered in the follow-up report on the implementation of resolution 57/337 as requested by the General Assembly for the fifty-ninth session. Mr. Türk welcomed consultation with the Global Partnership in the preparation of the report. He proposed a link between the Global Partnership and the Inter-agency Resource Group on Prevention, chaired by the Department of Political Affairs, which will be fully explored in the coming weeks.

IV. Conclusion

22. General Assembly resolution 57/337 offers hope for a new season in the conflict prevention debate. The Secretary-General has spoken, the Security Council has spoken, and now Member States at large have spoken. Civil society organizations have committed themselves to constructive engagement to strengthen prevention and aid the United Nations in mainstreaming prevention into the system. Participants at the open meeting showed clearly that they want to work together "to achieve the goals declared in the resolution on the prevention of armed conflict sooner and more effectively".

23. This very constructive open meeting has shown that, while many questions and concerns exist for Member States about engagement with civil society organizations, clear support exists for exploring and understanding the issues that will strengthen the partnerships between Governments, intergovernmental agencies and civil society in preventing deadly conflicts. Participating Member States welcomed the initiative of the Global Partnership for the Prevention of Armed Conflict to strengthen civil society engagement with the United Nations and Member States in efforts to prevent conflict.

Recommendations

- It is recommended that the General Assembly examine its role in the prevention of violent conflict as it relates to Article 14 of the Charter. It should also consider whether such issues should be regularly addressed in the Fourth Committee and if a prevention aide-memoire is appropriate.
- It is recommended that the United Nations and Member States support the Global Partnership for the Prevention of Armed Conflict initiative by becoming closely engaged as the process evolves and unfolds.
- It is recommended that the Missions at United Nations Headquarters work with the UN-NGO Conflict Prevention Working Group by appointing a liaison at the Mission for the Working Group to contact.
- It is recommended that United Nations offices, agencies, and programmes link with both the UN-NGO Conflict Prevention Working Group and encourage their field offices to liaise with the coordinators of regional conferences.
- It is recommended that the Department of Political Affairs further explore how to establish appropriate consultation mechanisms with the Global Partnership in the process of preparing the report to the General Assembly at its fifty-ninth session.
- It is recommended that Governments continue to support this process financially and that other Member States and civil society organizations and foundations aid in this global initiative.

V. Contacts

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Initiatives of Change

Quaker United Nations Office — New York

Saferworld

World Vision International

United Nations A/57/865–S/2003/885

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Letter dated 12 September 2003 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a joint communiqué issued on 11 September 2003 by the representatives of the Union de transports aériens (UTA) flight 772 families and the Gaddafi International Foundation for Charity Associations concerning the attack on the UTA DC 10 aircraft on 19 September 1989 (see annex).

This document refers to an agreement reached with a view to a final settlement of this matter, in conformity with the relevant Security Council resolutions and, in particular, resolutions 731 (1992) and 748 (1992). Accordingly, the French authorities consider that there are no longer any grounds to oppose the lifting of the sanctions on the Socialist People's Libyan Arab Jamahiriya. They expect the Libyan party to implement fully the commitments it has made in the agreement referred to in the aforementioned document.

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the fifty-seventh session of the General Assembly, under agenda item 160, and of the Security Council.

(*Signed*) Jean-Marc **de La Sablière**

03-50017 (E) 150903 150903

Annex to the letter dated 12 September 2003 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

[Original: English and French]

Joint communiqué

11 September 2003

Gaddafi International Foundation for Charity Associations

DC 10 Families in Anger !

On 10 September 2003, the Gaddafi International Foundation for Charity Associations and the "DC 10 Families in Anger !" signed an agreement to set up a French foundation, the purpose of which will be the payment of an amount to the victims' families. This agreement will, as a consequence, pave the way for a total withdrawal of any claim against Libya or Libyan nationals concerned by the disaster not already settled by a court and for the renunciation to any civil or criminal action before French or international courts related to the UTA DC 10 disaster.

"DC 10 Families in Anger !" and the Gaddafi International Foundation for Charity Associations have a common will to reach a final settlement within one month from the date of the signature leading to full reconciliation and the re-establishment of friendship between the two peoples without any reservation.

A second press release will be published 13 September 2003.